

REMARKS

Claims 8-10 and 24-46 are pending. Claims 1-7 and 11-23 have been canceled without prejudice. Claims 8 and 9 have been amended. Claims 24-46 have been added. For the Examiner's convenience, the Applicants have enclosed a "**Clean Copy of Claims, as Amended in the Response to Restriction Requirement and Preliminary Amendment**," in which all claims pending after entry of this Amendment are listed.

Support in the Specification

The title has been amended in view of the Restriction Requirement.

Minor changes have been made to the wording of claim 8 in order to make the relationship between molecules and their sequences more grammatically accurate. For example, in part a) of claim 8, "...a polypeptide comprising the amino acid sequence of any of..." has been changed to the synonymous phrase "a polypeptide which has an amino acid sequence comprising any of ...". These grammatical changes do not alter the meaning of the claim.

Claim 8 and 9 have been amended to delete reference to subject matter that was not elected in response to the Restriction Requirement issued by the Examiner in Paper No. 7. Recitations of percent identity and numbers of residues are supported in the specification, for example at page 2, lines 22-29, and at page 3, lines 18-26.

Newly added claims 24, 30, and 35 recite discrete portions of the subject matter recited in claim 8, as originally filed. Newly added claims 40 and 41 recite discrete portions of the subject matter originally recited in claim 9. Thus, the newly added claims are supported by claims 8 and 9, as filed.

Recitations of numbers of contiguous amino acid residues in newly added claims 25 and 26 appear in the specification, for example at page 3, line 23.

The stringent hybridization conditions recited in newly added claim 31 occur in the specification, for example at page 87, lines 21-24.

The percentage of sequence identity in newly added claims 36 is recited in the specification, for example at page 2, line 23.

The specification indicates, for example at page 75, line 17, through page 76, line 5, that TANGO 294 is a member of a family of lipase proteins and, for example at page 76, lines 21-25, that TANGO 294 polypeptides can exhibit lipase activity. This activity is recited in newly added claims 27, 32, 38, and 42.

The phenomena recited in newly added claims 28, 33, 38, and 46 are disclosed in the specification, for example at page 76, line 21, through page 77, line 7.

Admixture of TANGO 294 polypeptides with a pharmaceutically acceptable carrier, as recited in newly added claims 29, 34, 39, and 45, is disclosed in the specification, for example at page 122, lines 19-22.

Recitations of amino acid sequence identity in newly added claims 42-44 is supported by the specification, for example at page 3, lines 8-13 and 18-26, and at page 95, line 28, through page 96, line 5.

The non-criticality of residues 1-14 of SEQ ID NO: 47, as recited in newly added claim 44, is disclosed in the specification, for example at page 76, lines 6-19.

For the foregoing reasons, the Applicants respectfully contend that the amendments and additions made herein do not include new matter.

Summary

The Applicants respectfully contend that each of the pending claims corresponds to the elected groups, and that each is in condition for allowance. An early and favorable office action on the merits is requested.

Respectfully submitted,

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8 November 2001

(Date)

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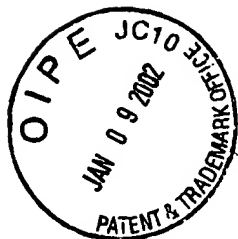
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Enclosures: Petition for Extension of Time
Marked-Up Copy of Claims Amended
Clean Copy of Claims, as Amended



**Marked-Up Copy of Claims Amended
in the Response to Restriction Requirement and
Preliminary Amendment**

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8. (Amended) An isolated polypeptide selected from the group consisting of:

a) a fragment of a polypeptide which has an amino acid sequence comprising ~~the amino acid sequence of~~ any of SEQ ID NOS: ~~3-8, 11-16, 19-24, 27-32, 35-44, 47-52, 55-66, 69, and 74, or~~ and the amino acid sequence encoded by a cDNA of a ~~the clone deposited as one of~~ ATCC[®] ~~207219, 207184, 207228, 207185, 207220, and 207221,~~ wherein the fragment comprises at least ~~8-40~~ contiguous amino acids of ~~any either~~ of SEQ ID NOS: ~~3-8, 11-16, 19-24, 27-32, 35-44, 47-52, 55-66, 69, and 74, or~~ and the amino acid sequence encoded by a cDNA of a ~~the clone deposited as one of~~ ATCC[®] ~~207219, 207184, 207228, 207185, 207220, and 207221;~~

b) a naturally occurring allelic variant of a polypeptide ~~comprising the~~ that has an amino acid sequence ~~of comprising~~ any of SEQ ID NOS: ~~3-8, 11-16, 19-24, 27-32, 35-44, 47-52, 55-66, 69, and 74, or~~ and the amino acid sequence encoded by a cDNA of a ~~the clone deposited as one of~~ ATCC[®] ~~207219, 207184, 207228, 207185, 207220, and 207221,~~ wherein the polypeptide is encoded by a nucleic acid molecule which hybridizes to a nucleic acid molecule ~~consisting of~~ having the nucleotide sequence of any of SEQ ID NOS: ~~1, 2, 9, 10, 17, 18, 25, 26, 33, 34, 45, and 46, 53, 54, 67, 68, 72, and 73, the nucleotide sequence of a cDNA of a~~ the clone deposited as one of ATCC[®] ~~207219, 207184, 207228, 207185, 207220, and 207221,~~ or a complement thereof under stringent conditions; and

c) a polypeptide which is encoded by a ~~nucleic acid molecule comprising a~~ nucleotide sequence having a portion which is at least 40% ~~90%~~ identical to a ~~nucleic acid consisting of the nucleotide sequence of~~ any of SEQ ID NOS: ~~1, 2, 9, 10, 17, 18, 25, 26, 33, 34, 45, and 46, 53, 54, 67, 68, 72, and 73, the nucleotide sequence of a cDNA of a~~ the clone deposited as one of ATCC[®] ~~207219, 207184, 207228, 207185, 207220, and 207221,~~ or a complement thereof.

9. (Amended) The isolated polypeptide of claim 8, having the amino acid sequence of any of SEQ ID NOs: ~~3-8, 11-16, 19-24, 27-32, 35-44, 47-52, 55-66, 69, and 74, or~~ and the amino acid sequence encoded by a cDNA of a~~the~~ clone deposited as ~~one of~~ ATCC® ~~207219, 207184, 207228, 207185, 207220, and 207221,~~ or a complement thereof.